

Lisa Laurin  
May 24, 2017

Page 1

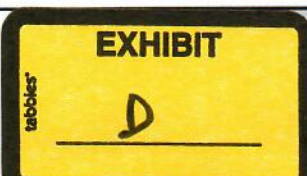
IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

SHERWIN T. WRIGHT	)	
Plaintiff,	)	
	)	
vs.	)	Civil Action NO. 4:15-cv-02363
	)	
CHEVRON PHILLIPS CHEMICAL	)	
COMPANY, LP	)	
Defendant	)	

ORAL DEPOSITION

LISA LAURIN  
MAY 24, 2017

ORAL DEPOSITION OF LISA LAURIN, produced as a witness at the instance of the Plaintiff and duly sworn, was taken in the above-styled and numbered cause on the 24th day of May, 2017, from 2:20 p.m. to 4:20 p.m., before Melinda Barre, Certified Shorthand Reporter in and for the State of Texas, reported by computerized stenotype machine at the offices of Jackson Walker LLP, 1401 McKinney Street, Suite 1900, Houston, Harris County, Texas, pursuant to the Federal Rules of Civil Procedure and the provisions stated on the record or attached hereto.



Stratos Legal Services  
800-971-1127

Lisa Laurin  
May 24, 2017

Page 23

1 morning?

2 **A. Yes.**

3 Q. Did you-all investigate whether that was the  
4 case for the T lead operation, that two electricians  
5 should have been involved in that?

6 **A. I can't say because I wasn't in the**  
7 **investigation.**

8 Q. Okay. And your reporters didn't report that to  
9 you as part of your findings that you based your  
10 ultimate decisions on?

11 **A. I don't recall that being in there.**

12 Q. Are there transcripts of investigations done  
13 when you interview -- for instance, if Virginia  
14 interviewed Mr. Barnes and Adam interviewed Mr. Donnell,  
15 will there be transcripts generated from those  
16 interviews?

17 **A. No.**

18 Q. This morning we were talking with Mr. Higgins;  
19 and one of the points that he restated several times was  
20 that there were no clear directives given to Sherwin  
21 Wright about what he should have been doing in the unit,  
22 what his job entailed.

23 Do you know if your investigators had any  
24 conversations with anyone about the directives that  
25 Mr. Wright was given?

Lisa Laurin  
May 24, 2017

Page 24

1       **A.    I don't know.**

2       Q.    Have you seen or do you know whether they did  
3 any investigation into why there was no work order  
4 generated and given to Mr. Wright?

5       **A.    I don't know.**

6       Q.    You don't know whether you've seen it or heard  
7 it, or have you not heard it or seen it?

8       **A.    You're going to have to ask a different**  
9 **question.  It's no.**

10      Q.    Okay.  Has anybody told you that those two  
11 issues were investigated?

12      **A.    No.**

13      Q.    And you didn't investigate them yourself?

14      **A.    No.**

15      Q.    Has anybody told you why there was no permit  
16 generated for the work that Mr. Wright was doing?

17      **A.    No.**

18      Q.    And you didn't investigate that independently?

19      **A.    No.**

20      Q.    Previously Mr. Wright testified -- I think you  
21 were present for that deposition as well, correct?

22      **A.    Yes.**

23      Q.    And do you recall that he stated he had  
24 initialed the isolation list, gave it to Billy Donnell.  
25 He asked for it back.  Billy Donnell didn't give it back



Lisa Laurin  
May 24, 2017

Page 25

1 to him. Do you recall that testimony?

2 **A. I do.**

3 Q. Prior to your decision to suspend him, did  
4 anybody tell you anything about that incident?

5 **A. No.**

6 Q. Did you ask Billy Donnell anything about  
7 whether that incident occurred? Independently yourself  
8 have you had that conversation with Billy Donnell?

9 **A. Since the --**

10 Q. No, no. Before you made the decision to  
11 suspend him, Mr. Wright.

12 **A. No.**

13 Q. Okay. So the result of your investigation is  
14 what we'll attach as Exhibit 1.

15 (Exhibit 1 marked)

16 Q. (By Mr. Armstrong) Which is your letter  
17 dated -- actually I'll say it's a letter dated  
18 October 30, 2014. Have you seen this letter before?

19 **A. Yes.**

20 Q. And it's signed by Andy Woods, who was the  
21 maintenance manager, right?

22 **A. He was.**

23 Q. And was Andy Woods involved in this  
24 investigation of Mr. Wright?

25 **A. No.**

Lisa Laurin  
May 24, 2017

Page 33

1 electrician is to provide electrical maintenance to the  
2 plant, correct?

3 **A. Yes.**

4 Q. Okay. There's an aspect of his job that says,  
5 You have to know what the safety procedures are, right?

6 **A. Yes.**

7 Q. But his job is not -- when he goes and puts  
8 tools to a piece of equipment, he's doing something that  
9 probably goes way over my head. It's something an  
10 electrician knows how to do, right?

11 **A. Ask me that again, please.**

12 Q. Electricians perform electrical maintenance  
13 work. Fair?

14 **A. Yes.**

15 Q. Okay. If he violated a safety process, doesn't  
16 it make sense that his retraining or certification  
17 should have been on that safety process as opposed to  
18 being recertified on being an electrician?

19 **A. Yes.**

20 Q. So why was he to be recertified as an  
21 electrician instead of just recertified on that  
22 lock/tag/try process?

23 **A. Well, he would have been retrained on the**  
24 **procedures, all safety procedures. The recertification**  
25 **process was something the union, IBEW, with our**

Lisa Laurin  
May 24, 2017

Page 34

1 maintenance training coordinator was completing that per  
2 the contract. It was not ready yet. It was going  
3 through the validation process.

4 Q. So at the time of this letter, when this letter  
5 was written and given to Mr. Wright, there was no actual  
6 recertification process in place?

7 A. There was no test in place.

8 Q. Okay. And so in October of 2014 when you guys  
9 issued this letter to him and said, You have to  
10 recertify, you really didn't even have an understanding  
11 of what you were asking him to do. Is that fair?

12 A. No.

13 Q. What were you asking him to do when he  
14 recertified?

15 A. That he would take the test.

16 Q. That didn't exist, right?

17 A. It did exist.

18 Q. Okay. So what parts of this recertification  
19 process were in place on October 30, 2014?

20 A. There was nothing in place in October of 2014.

21 Q. Is there a separate document that says,  
22 Mr. Wright, as part of your recertification testing,  
23 here are the things that we want you to focus on and  
24 these are the individuals, whether it be Keith Bravenec  
25 or somebody else, who are going to test you after this



Lisa Laurin  
May 24, 2017

Page 35

1 time period of recertification and then you will be  
2 either recertified or not?

3 **A. No.**

4 Q. No document like that exists?

5 **A. No.**

6 Q. Okay. So what was the plan in October 30 --  
7 well, October 30th of 2014. What was your plan for how  
8 long it was going to take for him to return to work if  
9 he had to recertify first?

10 **A. He would take the test first, and then any**  
11 **areas where he was deficient he would remediate.**

12 Q. And how long did you guys anticipate that that  
13 was going to take?

14 **A. We didn't anticipate.**

15 Q. Okay. So you didn't give him any guidelines or  
16 anything as to, You're off; you're suspended; this is  
17 how you return to work; this is how long it's going to  
18 take you to get back to work?

19 **A. No.**

20 Q. Tom Shomette was who?

21 **A. Maintenance training coordinator.**

22 Q. And Tom Shomette was tasked with doing what in  
23 relation to the recertification process?

24 **A. He would administer the test and the**  
25 **remediation.**

Lisa Laurin  
May 24, 2017

Page 36

1 Q. Okay. At any time after October 30, 2014 did  
2 he administer the test?

3 A. No.

4 Q. No?

5 A. No.

6 Q. Why not?

7 A. Because the test has to be validated to be  
8 considered legal and it was in the validation process  
9 and it wasn't returned until after Tyrell was  
10 terminated.

11 Q. Okay. And so had Mr. Wright -- let's just say  
12 none of the other situations would have occurred, the  
13 other two situations that we'll talk about later. Just  
14 say this was the only disciplinary action that was ever  
15 taken against him. He would have had to wait until  
16 sometime after December 2014 to return to work. Fair?

17 MS. WILLIAMS: Objection, mischaracterizes  
18 her testimony. Go ahead.

19 Q. (By Mr. Armstrong) So let me restate this  
20 because I want to be clear.

21 If the validation of the test did not  
22 occur until after Mr. Wright was terminated in December  
23 of 2014, had he gone through this certification process,  
24 he couldn't have taken the test because it wasn't  
25 validated, so he would not have come back until after



Lisa Laurin  
May 24, 2017

Page 37

1 December of 2014?

2 MS. WILLIAMS: Objection, vague. It  
3 mischaracterizes her testimony.

4 You can go ahead and answer.

5 A. You keep saying "return to work." He was at  
6 work after the suspension.

7 Q. (By Mr. Armstrong) But he wasn't able to  
8 return to the field as an electrician?

9 A. That's correct.

10 Q. And his primary job title was a maintenance  
11 electrician, correct?

12 A. Yes.

13 Q. And so he would have been sitting in a cubicle  
14 until sometime after December of 2014?

15 A. Yes.

16 Q. Okay. What was the curriculum for the  
17 recertification process?

18 A. I don't know. You can't answer that until  
19 after the test has been administered.

20 Q. Okay. And so during that time period before  
21 the test is administered, he would not have even had a  
22 curriculum to study while he's sitting in the cubicle.  
23 True?

24 A. When you say "a curriculum," are you asking me  
25 did he have an outline of what he was given?

Lisa Laurin  
May 24, 2017

Page 38

1 Q. Yes.

2 **A. I don't know.**

3 Q. Okay. It says, "The purpose of this final  
4 written warning and suspension without pay is to change  
5 your behavior, ensuring that you will comply with the  
6 company's work rules, policies and practices."

7 What behavior did you anticipate or was  
8 the purpose to change?

9 **A. I can't tell you that.**

10 Q. Did you read this letter before it was given to  
11 Mr. Wright?

12 **A. Yes.**

13 Q. So you were familiar with the contents of this  
14 letter before it was given to Mr. Wright?

15 **A. I am.**

16 Q. Okay. So do you know what the behavior was  
17 that you guys were trying to change in Mr. Wright?

18 **A. I would have to speculate that the behavior**  
19 **they're trying to change is him not following the**  
20 **correct process and procedures when de-energizing**  
21 **equipment.**

22 Q. Okay. When you say "speculate," you had no  
23 personal opinion or thought process as to what the  
24 behavior was y'all were trying to change at the time  
25 that you guys were giving him this letter?

Lisa Laurin  
May 24, 2017

Page 39

1       **A. I have a personal opinion.**

2       Q. Okay. What was your personal opinion of what  
3 you guys were trying to change?

4       **A. What I previously stated about not following**  
5 **procedures.**

6       Q. Okay. How has that change in behavior been  
7 documented?

8       **A. How is documenting something going to change**  
9 **someone's behavior?**

10       Q. No. Let me be a little more clear about that.  
11               How were you planning to document whether  
12 his behavior changed or not?

13       **A. I can't answer that question.**

14       Q. Okay. And so are you familiar with what's  
15 called a PIP?

16       **A. Yes.**

17       Q. A performance improvement plan?

18       **A. Yes.**

19       Q. Do you guys use those at your company?

20       **A. Yes.**

21       Q. And at the end of those PIPs there's usually --  
22 and I can't speak to your specific process. But there's  
23 usually a follow-up session where a manager says, This  
24 is what we've measured and this is what we've seen in  
25 your performance since we put you on this plan. You



Lisa Laurin  
May 24, 2017

Page 40

1 have either met our expectations or not, and you're  
2 either still on this plan or you're not or you're  
3 terminated.

4 Did you have a process like that in place  
5 and in mind for Mr. Wright to document whether or not  
6 his behavior had changed?

7 **A. No.**

8 Q. During your tenure with HR, have you  
9 disciplined any other employee for violating the work  
10 rules other than Mr. Wright?

11 **A. You're asking me has the company disciplined**  
12 **anyone else?**

13 Q. Well, have you been involved in the process of  
14 disciplining a person who violated the work rules?

15 **A. Yes.**

16 Q. About how many times do you think you've been  
17 involved in that process?

18 **A. I can't answer that. It's many, many, many.**

19 Q. More than ten?

20 **A. Yes.**

21 Q. Okay. For any of those times that you have  
22 been involved in that process, has any other person been  
23 required to recertify in their field as part of their  
24 return to work?

25 **A. No.**

Lisa Laurin  
May 24, 2017

Page 41

1 Q. Prior to Mr. Wright being required to  
2 recertify, had there been anybody else who had been  
3 required to recertify as return to work?

4 A. I'm sorry. Isn't that the same question you  
5 just asked me?

6 Q. Yeah. I guess it is.

7 A. Still no.

8 Q. I was breaking those time periods up, but  
9 you're right. That's the same question.

10 Had any other person been suspended  
11 without pay without the process for objectively  
12 determining whether the reason they were suspended had  
13 been corrected or not?

14 MS. WILLIAMS: Objection, assumes facts  
15 not in evidence, argumentative.

16 You can still answer.

17 THE WITNESS: I don't understand what he's  
18 asking me.

19 MS. WILLIAMS: That, too. I'm sorry.

20 MR. ARMSTRONG: Yeah. That's a good  
21 objection. She doesn't understand what you're asking.

22 Q. (By Mr. Armstrong) So we just walked through  
23 the question of whether there was a process in place  
24 similar to a PIP to evaluate Mr. Wright afterwards,  
25 right? Has any other employee been sent home without

Lisa Laurin  
May 24, 2017

Page 66

1           **A.     Never.**

2           Q.     So on the date in question that he failed to  
3 properly follow this management system, I think he  
4 called multiple times to this management system; and  
5 from the records we have Adam Sainato independently  
6 verified that he did call in, right?

7           **A.     Yes.**

8           Q.     Other than calling through the system, who was  
9 the person that Tyrell should have called on the date  
10 that he called in?

11          **A.     His supervisor.**

12          Q.     Who was his supervisor that day?

13          **A.     One of the two Darins.**

14          Q.     Okay. Did one or both of those two Darins  
15 report to the cubicle where he would work every day, go  
16 every day to read these recertification texts and  
17 supervise that reading?

18          **A.     That's a two-part question. I don't know if he**  
19 **went to the cubicle to talk to him or not, but I would**  
20 **imagine he wasn't supervising any reading.**

21          Q.     And so as for the certification process that  
22 Mr. Wright was on, Darin probably wasn't the person who  
23 was there every day giving him books and saying, Have  
24 you read this item or read that item?

25          **A.     That's correct.**



Lisa Laurin  
May 24, 2017

Page 67

1 Q. And if he were not in the field, he wasn't  
2 being supervised in the field on that day, correct?

3 A. Correct.

4 Q. Just to summarize, you've got three instances  
5 that after October 1st were the subject of discipline.  
6 And this was the lock/tag/try, right?

7 A. Yes.

8 Q. Which under the work rules that was one of the,  
9 We can immediately terminate you if you do this, right?

10 A. Yes.

11 Q. And he wasn't terminated for failure of the  
12 lock/tag/try. Then by your reading of the work policies  
13 he was asleep while on duty; and so that's an offense  
14 that's immediately terminable, right?

15 A. Yes.

16 Q. And he wasn't terminated for that. So what  
17 ultimately got him was he misunderstood or failed to  
18 properly follow the total absence management plan?

19 A. Yes.

20 Q. And that's not -- at least in these working  
21 rules that's not listed as an immediately terminable  
22 offense?

23 A. It's listed on page 727. "Rules which when  
24 violated will be sufficient cause for disciplinary  
25 action of warning, suspension or discharge depending

Lisa Laurin  
May 24, 2017

Page 68

1 upon the circumstances involved and the seriousness of  
2 the offense. Failure to follow plant procedures for  
3 reporting off from work."

4 Q. What's that? Where is it?

5 A. On 728.

6 Q. Where is that?

7 A. Towards the top.

8 Q. Okay. For reporting off from work. Okay.

9 And so your reading of this is even though  
10 he called in but he did it improperly, he was subject to  
11 disciplinary action?

12 A. He didn't call in.

13 Q. Well, I think we've established that he  
14 actually called the UPMC total absence management.

15 A. In our hand procedures for putting off from  
16 work it states you must contact your supervisor.

17 Q. Right. Who was -- on that day you think it was  
18 Darin Barnes?

19 A. I know for a fact his supervisor is Darin  
20 Barnes.

21 Q. Okay. Who was not supervising him on that day,  
22 right?

23 A. No.

24 Q. Okay. Was he ever counseled after he failed to  
25 call in properly? Did anybody ever pull him to the side

Lisa Laurin  
May 24, 2017

Page 69

1 and say, Why didn't you call UPMC instead of your  
2 supervisor?

3 **A. He did call UPMC instead of his supervisor.**

4 Q. No. That's what I'm saying. Did you-all have  
5 that conversation of, Why didn't you go that route  
6 instead of calling Darin Barnes?

7 **A. Yes. Adam asked him on the phone.**

8 Q. And what did he say to Adam, do you recall?

9 **A. I don't recall.**

10 Q. Did Adam report back to you in writing what was  
11 said during that phone conversation?

12 **A. Not in writing.**

13 Q. And so Adam just left that phone conversation  
14 with, He called in to something but he didn't follow us  
15 exactly, so we're sacking him, right?

16 **A. No.**

17 Q. What did Adam come back and tell you about that  
18 phone conversation?

19 **A. With Tyrell?**

20 Q. Yes, ma'am.

21 **A. He told me that he talked to Tyrell and that**  
22 **Tyrell said he called in to UPMC.**

23 Q. Okay. Was there any documentation of the  
24 termination itself? Like is there something in a file  
25 that says, We terminated him based on this conversation



Lisa Laurin  
May 24, 2017

Page 72

1 Q. (By Mr. Armstrong) I'm going to backtrack a  
2 little bit just to clarify something. Did Keith  
3 Bravenec ever tell you how he determined that Tyrell had  
4 done the lock, tag and try process improperly?

5 A. Yes.

6 Q. Okay. How did he come to that conclusion?

7 A. There was a contractor in the field that  
8 noticed it hadn't been done. So he pulled the paperwork  
9 that showed Tyrell signed off on the documentation that  
10 the work had been done.

11 Q. Okay. And then that's what triggered him to  
12 come to you?

13 A. That's correct.

14 Q. Everything that we talked about?

15 A. Yes.

16 Q. Okay. Was anyone else, either Billy Donnell or  
17 Darin Barnes or anybody else, suspended as a result of  
18 your investigation of this incident?

19 A. No.

20 Q. That's all we have for now.

21 MR. ARMSTRONG: So we'll pass the witness.

22 MS. WILLIAMS: We'll reserve for trial.

23 (Proceedings concluded at 4:20 p.m.)  
24  
25